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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 LEONARD TOBIN,

10 Plaintiff,

11 v.
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13 UNITED STATES DEP'T OF THE
14 TREASURY, et al.,

15 Defendants.

Case No. C19-518 RSM

ORDER TO SHOW CAUSE

16 This matter comes before the Court *sua sponte*. Plaintiff Leonard Tobin, proceeding *pro*
17 *se*, filed his Complaint on April 8, 2019, against Defendants the United States Department of the
18 Treasury and the Internal Revenue Service. Dkt. #1. On August 16, 2019, the Court issued an
19 Order striking Plaintiff's motion for default judgment and granting an extension of time for
20 Plaintiff to serve Defendants. Dkt. #9. The Court stated as follows:
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22 [B]ased on the record, Plaintiff has failed to properly serve
23 Defendant. Plaintiff is advised to review the requirements in Federal
24 Rule of Civil Procedure 4(i) for service on the United States. Under
25 Rule 4(m), service is required within 90 days after the Complaint
26 was filed in this case. Because that deadline has expired, the Court
will extend this deadline to 30 days from the date of this Minute
Order. There will be no further extensions.

27 Dkt. #9. Since that time, neither defendant has appeared.
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1 Federal Rule of Civil Procedure 4(m) states in part:

2 If a defendant is not served within 90 days after the complaint is
3 filed, the court—on motion or on its own after notice to the
4 plaintiff—must dismiss the action without prejudice or order that
5 service be made within a specified time. But if the plaintiff shows
good cause for the failure, the court must extend the time for service
for an appropriate period.

6 Fed. R. Civ. P. 4(m).

7 The Court believes that one or more of the Defendants have still not been properly served
8 under Rule 4. Service by mail to a single address for each Defendant is likely inadequate under
9 that rule. Failure to timely serve is a valid basis for dismissal of this case without prejudice.
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11 The Court needs to hear from Mr. Tobin on this issue. In Response to this Order, Plaintiff
12 must write a short statement telling the Court how service was accomplished and why service in
13 this case is or is not proper. This Response may not exceed **six (6) pages**.
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15 Accordingly, the Court hereby finds and ORDERS that Plaintiff shall file a Response to
16 this Order to Show Cause containing the detail above no later than **fourteen (14) days** from the
17 date of this Order. Plaintiff's failure to file this Response will result in dismissal of this case.
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19 DATED this 20th day of September 2019.
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22 RICARDO S. MARTINEZ
23 CHIEF UNITED STATES DISTRICT JUDGE
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